

STRONG ADDRESS
BY BONAPARTE
ON BIG PROBLEM

Says Cities Should Use
Common Sense in
Picking Officers.

QUALITY IS POINT
TO CONSIDER NOW

Important Papers Presented at
Municipal League Convention
by Experts—Commission
Plan Discussed at Round
Table Talk—Foulke
Again President.

"Civil service reform means simply the application of morality and common sense to the choice of public servants," declared Charles J. Bonaparte, former Attorney-General of the United States, yesterday afternoon, speaking on the subject, "Municipal Civil Service Reform," and summing up in one pertinent sentence his exposition of the merit system as applied to the selection of municipal officers. It was the central thought in what was easily the most brilliant and opportune address on the opening day of the seventeenth annual convention of the National Municipal League.

"A public office belongs to the people," said the ex-Attorney-General; "its duties are fixed by the people's laws; its salaries are paid by the people's money. It follows logically that if a President, or Governor, or Mayor uses the patronage which he holds in trust for the Union, or his State, or his city, to strengthen himself in his faction, or his faction in his party, or his party at the polls, his conduct is indistinguishable in morals from a guardian who should use his ward's money in his own business or in the business of some firm or corporation of which he is a member."

The particular form of government, while important, is by no means the vital thing in the municipal scheme, in the opinion of Mr. Bonaparte. The extent to which a city is governed is no indication of how well it is governed. "The quality of the city administration is the thing to be considered."

"It is field of action," he said, "may be wide or narrow, but, in either case, if it acts thoroughly, promptly, cheaply and wisely, it gives the community it serves good government, and if its action be weak, tardy, overcostly or foolish, it does not."

"A government, like every other contrivance of man or production of nature, must be judged by its fruits; however we may talk about it, the worth of American democracy will be gauged, in the irreversible judgment of history, by a true answer to one question, namely, To what manner of men does it intrust political power? The one essential thing to good government is good men to govern. The one thing without which good government of any kind or degree is impossible is the selection of good men."

Pressing the point that good men at the helm of authority is the sine qua non of good government, the speaker then addressed himself to the problem of inducing good men to enter public life, and this he proposed to do by a cleansing of politics with a thoroughgoing, practical application of the principles of civil service reform in municipal government. There is, he said, no such thing as a good man without a good position, and he pointed out that the popular conception that it is merely a system requiring the selection of all public officers by competitive examination and insuring their retention in office during good behavior. Civil service reform needs a broader statement.

"It means," said Mr. Bonaparte, "that every public office exists for the sole benefit of the people, and cannot be maintained, consistently with the fundamental theory of our government in any measure, or under any circumstances, for the benefit of the individual holding such offices for the time being, or of any other individual or organization, and, therefore, every office ought to be filled with a sole regard to the fitness of the incumbent to so discharge its duties as to fulfill those ends which the people sought when they created it and seek when they pay for its maintenance."

V. P. CHARGES
NOT SUSTAINED

Visitors Find Troubles
Were Due to Lack
of Harmony.

COMMEND SCHOOL
TO PEOPLE OF STATE

Conditions Arising From Differences Over Rules No Longer Exist—Complaints of Countenancing Immorality Declared to Be Unfounded. All-Day Session Held.

[Special to The Times-Dispatch.] Blacksburg, Va., November 14.—Resolutions tantamount to a dismissal of the charges recently made against Dr. Paul B. Barringer, president of the Virginia Polytechnic Institute, and against the corps of cadets, were adopted at midnight to-night by the board of visitors, all of the eight members present signing them. The charges, which were presented by a committee composed of Rector L. E. Johnson and Leslie D. Kline, were not made public.

It is stated by the board that after hearing the complaints and Dr. Barringer's answer, it is of the opinion that the trouble at the college during the last session was largely due to a lack of harmony between the civil and military authorities and a difference of interpretation of the rules. The board commends the institution to the people of the State, and adds that the charges of countenancing immorality are without foundation.

No blame whatever is placed on Mr. Johnson and Mr. Kline, who were merely appointed to the committee at the last meeting of the visitors to formulate the complaints and to gather information concerning them. If the board visited any criticism on Dr. Barringer, or if it was of opinion that any of the complaints were sustained, it does not mention them.

The session began at 10 o'clock this morning, with all members present, save J. D. Eggleston, Jr., Superintendent of Public Instruction, and Colonel A. M. Bowman, of Salem. The entire session was executive, no hint of the proceedings reaching those in the outside. Fourteen hours was consumed, save the time taken for meals, and it was evident that whatever was going on inside was the subject of a great amount of discussion.

The resolutions finally adopted were as follows: "Whereas at a meeting of the board held on the eighteenth day of August, 1911, a committee, consisting of L. E. Johnson and Leslie D. Kline, was appointed to formulate certain complaints made against the management of Virginia Agricultural and Mechanical College and Polytechnic Institute, and whereas the board has heard these complaints so formulated, and the answer submitted thereto by President P. B. Barringer, and are of the opinion that much of the trouble during the last session complained of was due to a want of harmony between the civil and military authorities, and a difference of interpretation of the rules of the institution, which no longer exists, the board desires to put itself on record as believing that the institution is doing excellent work, and commends it to the people of the State as a school where the teaching is thorough and the life wholesome, and the youth of the State have the chance of the best education at the least cost."

"The board records the fact that the sensational charges of countenancing immorality in the institution contained in certain newspaper publications against the president of the institution, are without foundation."

"The board further resolves that the committee appointed have formulated the complaint in good faith, without prejudice against the president or corps of cadets."

"Resolved, That these resolutions be given to the press, with the request that they be given the same publicity as the charges already published."

WILL REVIEW THE CASE
Ohio Supreme Court to Go Over Evidence Against R. J. Diegle
Columbus, O., November 14.—Judge J. Diegle, former Sergeant-at-Arms of the State Senate, convicted in the Common Pleas and Circuit Courts of having aided and abetted in the bribery of State Senator L. R. Andrews, and sentenced to serve three years in the State Penitentiary, was today granted a writ by the Supreme Court to file a bill of exceptions to the ruling of the Circuit Court. The Supreme Court will review all evidence.

VOTE FOR STATE-WIDE
Republican "Dry" Win Contest in West Virginia
Parkersburg, W. Va., November 14.—After being in session all day, the Republican State legislative executive committee to-night decided in favor of a State-wide primary, with the State at a unit for West Virginia in 1912. The vote was 10 to 1. The ruling was reached only after a prolonged fight made by prominent Republican leaders, who favored the so-called district unit plan.

SURPRISE SPRUNG
ON PROSECUTION

Meat Packers Make Further Effort to Avoid Trial.

DELIVER ATTACK
ON SHERMAN LAW

Surrendering to United States Marshal, Packers Appeal for Writ of Habeas Corpus, Hoping to Get Case Directly Before Supreme Court.

Chicago, November 14.—A further effort of the indicted Chicago meat packers to avoid trial and to have declared unconstitutional, void and of no force the Sherman antitrust law, was made today. The latest move was a surprise to the government, and consisted in the surrender to the United States marshal of the packers and an immediate appeal to United States Circuit Judge C. C. Kohlstaet for a writ of habeas corpus. The arguments will be heard on Thursday.

The request for a decision on the constitutionality of the Sherman antitrust law before undergoing trial was said to have been taken as a necessary step to carry the case before the United States Supreme Court without the cost or delay of a trial. Violations of the fifth, sixth and eighth amendments to the United States Constitution, ambiguity and alleged failure of the act either to create an offense against the government or so to define what it set up as an offense in a manner that would enable the citizen to know when he erred and when not, were charged against the Sherman law as a "net large enough to catch all possible offenders" and leaves it to the courts to step in and say who rightfully can be detained and who set at large.

Of the ten packers indicted, all but J. C. Gorden Armour were temporarily in custody while the petition was heard. The nine were:

Louis F. Swift, president of Swift & Company.
Edward F. Swift, vice-president Swift & Company.
Charles R. Swift, director of Swift & Company.
Edward Tilden, president National Packing Company.
Arthur Meeker, general manager Armour & Company.
Edward Morris, president Morris & Company.
Francis Fowler, director Swift & Company.
Thomas J. Connors, director Armour & Company.
Louis H. Herman, manager Morris & Company.

Depends on Jury's Verdict.
The petition for a writ of habeas corpus goes into the allegation of insufficiency of the State to set up a crime, and it lays more stress on what the attorneys for the packers characterize as the citizen's inability to know whether he is a law-breaker or not before a jury trial. Along this latter line, the petition said:

"The alleged criminality of the alleged transactions complained of in the indictment will depend entirely upon a particular jury's view of the reasonableness or unreasonableness of the particular case; it will depend not on any standard erected by the law which may be known in advance, but on one that may be created by the whim, prejudice or arbitrary views of a jury."

"There is no set standard fixed, or attempted to be fixed, to guide the citizen to a knowledge of his guilt or innocence of an offense charged before it has been adjudicated."

"The act violates the sixth amendment to the Constitution of the United States, which requires that the petitioners severally shall be informed of the nature and cause of the accusation."

It is charged further that the act attempts to establish as a crime acts not criminal, but civil in their nature. The large number of witnesses necessary to trace the multitudinous transactions of a national business is pointed out as an indication of the great cost a trial would impose, both to the defendants and to the prosecution; hence the request that the constitutionality of the act be determined.

WILL RESIGN TO-DAY
Hoke Smith About to Resign Seat as Governor
Atlanta, Ga., November 14.—Governor and United States Senator-elect Hoke Smith will formally tender his resignation to Governor Nathan Phillips today, and Governor Phillips will accept it. Governor Smith's successor is elected, which must be within sixty days.

SOUTH WANTS ITS SHARE
Wants Proper Division Made of Country's Immigration
New Orleans, La., November 14.—At the conference of immigration officials called by Secretary Nagle, of the Department of Commerce and Labor, to meet in Washington Thursday of this week, representatives of State immigration departments in the South will make a determined effort to have a division made of immigration that the South will get a greater share of newcomers in the United States. This was learned here today from members of the Louisiana State Board of Immigration.

Paul Beattie's Letter to Prisoner's Father

National Hotel

THE LEADING COMMERCIAL AND TOURIST HOTEL

ALL MODERN IMPROVEMENTS

350 ROOMS

GEO. F. SCHUTT, PROPRIETOR
J. D. KYNASTON, MANAGER

WASHINGTON D. C.

October 26-1911

Dear Uncle Henry, If any one says I did not sign the paper at Mr. Balderson's office, they lie as good as Harry was with me at the time. I do not want Henry electrocuted as I love him, and I told the truth in the statement. While I was in jail the detectives told me that if I said I had the gun Sunday morning I would be accessory. I am not coming back to Richmond and place back out for my wife and child.

Yours Truly
Paul Beattie

I certify that this is a picture of the man who signed his name to the affidavit in my office on Oct. 24, 1911, and who represented himself to be Paul Beattie.

Oct. 26, 1911.

Notary's Indorsement on Paul's photograph.

Paul Beattie's
Signature on Washington Affidavit.

YUAN HESITATES
TO ACCEPT OFFICE

On His Compliance With
Throne's Command May Rest
Fate of China.

Peking, November 14.—While the imperial government is endeavoring to force the premiership on Yuan-Shi-Kai, China's strong man, in his various conferences today with the prince regent, the acting premier, Prince Ching, and other members of the nominal cabinet took occasion to point out the insecurity of that office, the retention of which depends upon the caprice of the national assembly. Yuan-Shi-Kai, if he accepts the premiership at all, desires a fixed term of office, and he so stated to the regent. But he must obtain this through the national assembly, as an edict would be likely to arouse suspicion.

It is not considered probable that Yuan-Shi-Kai will undertake the gigantic task set for him until he considers the chances of carrying it to successful issue. There is still another possibility—he may be considering the alternative of a republic and may himself recommend the abdication of the Emperor. He reports that the rebel leader has said he would obey his orders if Yuan would consent to become president, but would not recognize him as a Manchu premier.

In his opinion it would not be difficult to overthrow the present government.

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COMPANY OUSTED
FROM MISSOURI

TELLS HOW THEY
GOT AFFIDAVIT

International Harvester Concern
Is Also Fined \$50,000 for Violating Antitrust Law.

Jefferson City, Mo., November 14.—The International Harvester Company of America was ousted from Missouri and fined \$50,000 by the Supreme Court today. The court's decision sustained the findings of Special Commissioner Theodore Brace, who reported to the court that the company violated the common and antitrust laws of Missouri.

The court ruled that the fine must be paid on or before January 1, 1912, and that if the International Harvester Company proves to the court by March 1, 1912, that it has ceased all connection with the International Harvester Company of New Jersey, which the court held to be unlawful, that the ouster of the International Harvester Company of America will be suspended.

The Harvester Company must file proofs of its willingness to comply with the judgment of the court. The proofs must be approved by the Attorney-General.

Has Business Monopoly.
The opinion handed down by Justice Graves and concurred in by Judges Lamm, Brown, Ferris and Woodson, found that competition was lessened, and that practically all of the harvester business was done by the respondent company in the State. It held that it was contrary to the laws of the State of Missouri for one company to have a monopoly.

In explaining the Paul Beattie affidavit yesterday, H. M. Smith, Jr., counsel for Henry Clay Beattie, Jr., said that late in October two men, claiming to be detectives, called at his office and informed him that Paul Beattie had made certain statements to them, in which he said he hadn't told the truth in his evidence as given at the trial in Chesterfield county.

"They asked me if this evidence or information would be of any value to my client," said Mr. Smith, "and I told them that it certainly would in a new trial or in an effort to secure a conviction. But I also told them that the statement would have to come in the shape of an affidavit, that I did not and would not delegate them to go out and dig up affidavits, but that if they brought any sworn statements to me I would consider the matter for what it was worth. Later, they brought in the documents, which I showed Governor Mann to-day."

Voluntary on Their Part.
"This entire proceeding was voluntary on their part, and the point I wish to emphasize is that it was not of my own initiation. So many letters and messages had been received during the trial and before that I was like the proverbial man from Missouri. When I got the affidavit I sent a man to Washington to see Balderson, and

(Continued on Second Page.)

GOVERNOR MANN
IS NOT LIKELY
TO INTERFERE

Will Issue Final Statement To-Day on Beattie Case.

PAUL'S AFFIDAVIT
WITHOUT AVAIL

Remarkable Action of Condemned Man's Cousin Hardly Considered—Executive Seen by Attorneys, but No Papers Filed—Taken to Indicate Defense Is Hopeless.

In all human probability, the fate of Henry Clay Beattie, Jr., will be finally determined this morning through the refusal of Governor William Hodges Mann to interfere with the judgments of the courts of Virginia. The most that can be hoped for the prisoner, it would seem, is a respite, but a careful review of the events of yesterday would seem to indicate that Beattie will expiate his crime in the electric chair on Friday morning, November 24.

At all events, there is no room to doubt that the Governor will allow the law to take its course. Probable Speedy Execution.
In so doing, he would be following the conviction that so long as the horror of an execution is hanging over the community, just so long will be the continuance of unrest and depression; just so long will the family and friends suffer; just so long will sensational statements be purveyed to the public without foundation, in fact, and just so long will the condemned man's own mind be filled with useless hope.

The argument that Beattie should have time to prepare for death, it is suggested that respite was not continued efforts to interest the Governor in various additional statements, thus fostering hope in the prisoner and obviating the very reason for delay.

Lawyers See Governor.
An appeal for Beattie was made to the executive about noon yesterday by H. M. Smith, Jr., and Hill Carter, the attorneys for the defense. The lawyers remained with the Governor but a few minutes, briefly stating their arguments.

It is not true that any papers of any sort were filed with the Governor, either petitions or affidavits or confessions. Whatever papers were in the possession of the attorneys were carried away by them. It seemed to be the universal impression that they were without effect on the Governor's mind.

He has many letters from various sources. It is worthy of remark, as indicating the calibre of the writers, that they do not suggest pardon, but only commutation. They evidently fail to remember that when such a crime is involved, without a possible mitigating circumstance, there could be no alternative between death if guilty and liberty if innocent.

Paul Beattie's Affidavit.
Among the happenings of yesterday was the production of an affidavit signed in Washington by Paul Douglas Beattie, cousin of the condemned man, in which he is supposed to have repudiated the testimony given by him on the stand at the trial of the case. He is made to say that he did not give the shotgun to Henry Beattie on the Saturday night preceding the murder, but that he had it on Mayo's Bridge on the following day; and that Henry Beattie made no confession to him on the porch of his home.

While the apparent attempt on the part of Paul Beattie to place himself in the penitentiary for perjury was startling, it seemed to have no effect in the minds of those following the case with reference to the fate of Henry Beattie. It was recalled that the jury agreed that it was not influenced by Paul's story of the confession, and that the proof was ample had the Commonwealth not introduced the young man.

could Convince Himself.
In addition, there is something untold in the Paul Beattie matter. He left Richmond just after the State Fair, and signed something in Washington. In this he is said to have sworn that he perjured himself on the stand at the trial. When a statement regarding his affidavit was published in Richmond last Saturday, Beattie went to police headquarters at the City Hall and there made affidavit that he had made no such statement under oath as had been attributed to him. The signatures of the Washington paper and of various papers signed by him in Richmond do not agree.

Further, it is argued, Paul Beattie must be a mental irresponsible if he really signed the Washington papers attributed to him, which would convict him of perjury on at least four counts. There is also to be recalled Paul Beattie's original statement made last Saturday to the police, that he was deceived in Washington and given opium and perhaps other "drugs" which took away his senses, and that he probably signed something while in this condition. He evidently believed that he was tricked into going to Washington under promise of work, by people who intended to extort a confession for the purpose of selling it to H. C. Beattie, Sr.

There is no suggestion, however, that the father of the prisoner had any part in the plan. On the contrary, there is evidence to show that he and his attorneys absolutely refused to pay for the evidence gathered by this means in Washington.

Prisoner Is Well.
The prisoner maintains a cheerful bearing, which has not changed since he was notified on Monday morning